

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSHUA C. LOBBEN,

Defendant.

CASE NO. CR14-5396BHS

ORDER

This matter comes before the Court on the parties Stipulated Motion to Continue the Trial Date and Motion Response Date. The Court, having considered the stipulated motion and the Defendant's speedy trial waiver, makes the following findings of fact and conclusions of law:

1. Defense counsel needs additional time to review extensive discovery in this case and to prepare pretrial trial motions, if necessary.

2. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

1 3. Taking into account the exercise of due diligence, a continuance is necessary to allow
2 the defendant the reasonable time for effective preparation his defense, to explore resolution of
3 this case before trial and to ensure continuity of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

4 4. Proceeding to trial absent adequate time for the defense to prepare would result in a
5 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

6 5. The ends of justice served by granting this continuance outweigh the best interests of
7 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

8 6. Defendant waived speedy trial through January 31, 2015.

9 NOW, THEREFORE, IT IS HEREBY ORDERED

10 That the trial date is continued from October 21, 2014, to January 6, 2015, at 9:00 a.m.
11 Pretrial Conference is set for December 29, 2014, at 2:30 p.m. Pretrial motions are due by
12 December 4, 2014. The resulting period of delay from September 29, 2014, to January 6, 2015,
is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

13 Dated this 10th day of October, 2014.

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17 BENJAMIN H. SETTLE
United States District Judge